

August 20, 2019

Via U.S. Mail

Ms. Elizabeth Flock
MuckRock News
Dept. MR 78667
411A Highland Avenue
Somerville, Massachusetts 02144-2516

***RE: Jackson County, Alabama Open Record Request
File No. 3614***

Dear Ms. Flock:

I am the County Attorney for Jackson County, Alabama and as such provide legal counsel to the Jackson County Sheriff. Your email of August 6, 2019 wherein you request certain public documents or information has been forwarded to me for response.

As you make your request please be aware of two things. First, the Open Records Act generally allows the inspection and copying of certain public documents by citizens but does not require the public entity to copy and distribute documents. Citizens can come to the Jackson County Courthouse to inspect a document which will then be copied at a nominal cost. Secondly, the Alabama Open Records Act provides access to public records to "citizens" of Alabama, see *Opinion 2018-030*, Alabama Attorney General Official Opinions, *State ex rel Kernells v. Ezell*, 291 Ala. 440 (Ala. 1973) and *McBurney v. Young*, 133 S. Ct. 1709 (US 2013). Since your address is in Massachusetts, I assume that neither you nor your company are citizens of Alabama and are, therefore, not entitled to the benefits of the Alabama Open Records Act. While all Jackson County public officials make every effort to be transparent in their dealings with public records, your request is respectfully declined since you are not a citizen of the State of Alabama.

Sincerely yours,

John F. Porter, III
JFP/lh

Cc. Chuck Phillips, Sheriff
Enclosure

123 EAST LAUREL STREET, SCOTTSBORO, ALABAMA 35768 ■ TEL: (256) 574-5156 ■ FAX: (256) 574-6552